



Note: Prior to any NOI submission a consultation with our Conservation Agent is highly recommended

NOTICE OF INTENT (NOI) FILING INSTRUCTIONS

All Paper and Digital Submissions must be received by the submission deadline, as shown the ‘Sandwich Conservation Commission Meeting Notice’ (attached).

If mailed, must be postmarked by the Submission Deadline.

Refer to “Notes for NOI Submission Requirements” below for details

TWO (2) PAPER SUBMISSION PACKETS TO INCLUDE THE FOLLOWING:

1. **Project Description Letter** (Consultant’s/Applicant’s Report)
2. **WPA Form 3 – Notice of Intent (NOI)** (attached along with ‘BRP WPA Form 3 – Notice of Intent Instructions and Supporting Materials’ to assist you.)
 - a. One (1) of the two must include original signatures
 - b. “Town of Sandwich Wetland Bylaws, Chapter 7”, must be included under the form heading of page 1
3. **NOI Wetland Fee Transmittal Form** (attached)
 - a. All applicable fees (see fee schedule attached)
 - b. Please **do not include copies** of checks/money orders
4. **Colored Pre-Construction Photos**
5. **Locus Map**
6. **Wetland (Vegetation) Delineation** with field report and data sheets (not required if Conservation is not requesting delineation certificate)
7. **Appendix G** (if applicable)
8. **Representative Designation Form** (attached)
9. **Proof of Abutters Notification**
 - a. **Certified Abutters List** obtained from the Assessing Office (application attached)
 - b. **Notice mailed** (certified) to abutters (sample attached)
 - c. **Copies of all certified (white/green) slips obtained from the Post Office**
 - i. Copies must be emailed to the Administrative Assistant at conservation@sandwichmass.org prior to the meeting.
 1. **Please note:** If the certified slips are not received prior to or at meeting, the Conservation Commission may open/discuss the project, but will need to continue to the next available meeting.
10. **Proof of STATE submissions** (if applicable)
 - a. Copy of certified mailing (white/ green) slip obtained from the Post Office
 - b. See note #10 below for other State submission requirements (if applicable)
11. **Applicable plans**
 - a. Wet/Original stamped, dated and signed
 - b. Legible
 - c. Scaled (1”=20’)
 - d. Folded to show information block
 - e. Separate site plans to show existing/proposed conditions
 - i. Do not overlay existing/proposed

DIGITAL SUBMISSION

All above information scanned and emailed to the Administrative Assistant, at conservation@sandwichmass.org
Please do not include copies checks/money orders.

NOTES PAGE

FOR NOI SUBMISSION REQUIREMENTS

NOTICE OF INTENT (NOI)

Notice of Intent (NOI) is the name of the application used to review activities in wetland resource areas or within one hundred (100) feet of wetland resource area(s), in land subject to flooding and/or tidal action. The forms are available at the Town of Sandwich website, sandwichmass.org and online at www.mass.gov.

Any person who proposes to do work that will remove, fill, dredge, build upon, or alter land in or within one hundred (100) feet of a resource area (Sandwich Wetland Bylaw, Section 2 or as found in the regulations definitions) shall submit an Application for Permit and other required information. If only a portion of a proposed project or activity lies within an area subject to the jurisdiction of this bylaw, and the remainder of the project or activity lies outside the area(s), all aspects (all activities and alterations) of the project must be described. When a point source discharge falls within an area subject to the bylaw, a description of the estimated water quality characteristics (quality, amount, etc.) of the discharged water, in addition to the calculation of the peak flow comparisons (pre and post construction), shall be submitted. The description shall include information as recommended by the *MA Stormwater Technical Handbook* and, erosion control measures as recommended by the *MA Erosion Control Manual*.

- **PROJECT DESCRIPTION LETTER**
 - Consultant's/Applicant's Report clearly describing proposed project.
- **WPA FORM 3 – NOTICE OF INTENT' (NOI) APPLICATION** (attached)
 - Refer to BRP WPA Form 3 – Notice of Intent Instructions and Supporting Materials (attached)
- **NOI WETLAND FEE TRANSMITTAL FORM** (attached)
 - Refer to BRP WPA Form 3 – Notice of Intent Instructions and Supporting Materials (attached)
 - i. See 'Category Activities and Fees:' for assistance
- **PRE-CONSTRUCTION PHOTOS**
 - Color photos depicting all area(s) affected by proposed work
 - i. **Note:** If work is not started within 6 months of submission updated photos may be required
- **LOCUS MAP**
 - Map must clearly delineate the location of the proposed work site to include the nearest major street(s)
- **WETLAND (VEGETATION) DELINEATION** (applicable only if certified delineation is required by Conservation Commission)
 - Delineation shall be completed by an individual who holds a minimum of a Master's degree in wetland or wildlife biology, botany and has three (3) years of field experience. Society of Wetlands Scientist (SWS) certification or seven (7) years of professional experience as a practicing wetland scientist may be substituted for the educational requirement. The individual shall present the Conservation Commission with a resume of past experience, for the Commission's review. Bordering Vegetated Wetland (BVW) delineations shall follow the DEP regulations MGL 310 CMR§10.55. Coastal Bank delineations shall follow the DEP Coastal bank Policy. Coastal dune delineations shall follow the criteria established by DEP's regulations
- **APPENDIX G** (if applicable)
 - A detailed report and an appropriate number of Appendix G (MGL 310 CMR§10.55) forms (to be determined by the Conservation Commission) shall be submitted for each flagged station describing the particulars of the delineation methodology
- **REPRESENTATIVE DESIGNATION FORM** (attached)
 - To clarify the authority of the representative (i.e. engineer, attorney or other consultant), the Commission will require with applicants who are not representing themselves, a Representative Designation Form (attached) authorizing an individual or firm to act as the sole agent for the applicant at all reviews, submissions, hearings, appeals and identify the party who will receive the Order of Conditions (permit). The Conservation Commission will not review or approve work on or access onto or over public lands or the land of another private or public entity, other than the applicant, without written notarized evidence of authorization for the applicant to conduct such work or enter onto their lands

- **ABUTTERS NOTIFICATION**

- Request for Certified Abutters List submitted to the Assessing Department (application attached)
 - i. Certified Abutters List obtained from Assessing Department
 - ii. Proof of Certified mailing (white/green slips obtained from the Post Office) shall accompany the submission
 - 1. Copies can be emailed to the Conservation Administrative Assistant
 - a. **Please note:** Failure to comply with proof of proper owner or abutter notification shall cause the hearing to be continued to a specific date after proof of proper notification has taken place

- **STATE RESPONSIBILITIES** (if Applicable)

- **DEPARTMENT OF ENVIRONMENTAL PROTECTIONS (DEP)** (if applicable)
 - i. Proof of Certified mailing (white/green slips obtained from the Post Office) shall accompany the submission to the Town
 - 1. Copies must be emailed to the Conservation Administrative Assistant at conservation@sandwichmass.org
 - a. **Please note:** Failure to comply with proof of applicable proper State Agency(s) notification shall cause the hearing to be continued to a specific date after proof of proper notification has taken place
- **NATURAL HERITAGE PROGRAM (NHESP)** (if applicable)
 - i. If the project lies within an Estimated Habitat for State Listed Rare Wetlands Plants and/or Wildlife as identified on the most current 'Priority Habitats and Estimated Habits' map
 - 1. Visit <https://www.mass.gov/orgs/masswildlifes-natural-heritage-endangered-species-program>
 - ii. One (1) copy of the application, plan(s) and locus map shall be delivered by U.S. Certified Mail (return receipt requested) or receipted hand delivery to the Natural Heritage Program. Appropriate fee shall be provided as required by NHESP.
 - 1. Proof of Certified mailing (white/green slips obtained from the Post Office) shall accompany the submission to the Town
 - a. Copies can be emailed to the Conservation Administrative Assistant at conservation@sandwichmass.org
 - i. **Please note:** Failure to comply with proof of applicable proper State Agency(s) notification shall cause the hearing to be continued to a specific date after proof of proper notification has taken place.
 - iii. Refer to BRP WPA Form 3 – Notice of Intent Instructions and Supporting Materials (attached) for assistance
 - 1. If further clarification is required you will need to contact the appropriate State Department

- **PLANS:** Upon written request from applicant, the Conservation Commission, at its discretion, may accept less formal plans in place of engineered plans depending on the circumstances and complexity of the project and its proximity to the edge of the resource area(s).

- **All plans submitted must be**
 - Legible
 - Graphic Scale (1"=20')
 - Original/wet stamped
 - Original signature(s)
 - Dated by the appropriate discipline(s)
 - Professional Engineer, Professional Land Surveyor, Structural Engineer (required for all proposed foundations in VE and AE zones), Landscape Architect, Sanitarian
 - per MGL Ch. 112 § 81D-81T; Ch. 13 §45-47; Ch.7 §38A; Ch. 143 §93-100; 250 CMR and 780 CMR

- **Site plans shall include existing and proposed conditions (DO NOT OVERLAY)**
 - All resource area(s)
 - Critical habitat
 - Distance(s) from alteration(s)
 - To include distance(s) to building(s), other structures or facilities such as wells, storage tanks, drainage structures, and areas of regrading and/or re-landscaping to resource areas
 - Significant trees,
 - Areas of Critical Environmental Concern (ACEC)
 - Vernal pools
 - Estimated Habitats
 - All lands subject to DEM Wetland restrictions
 - Topographical survey
 - Contours (not spot elevations)
 - Profile of all grades and edges of flood zone
 - Based on North Atlantic Vertical Datum of 1988
 - All resource area(s) (seasonal, perennial, natural, man-made)
 - Vernal pools
 - Critical habitat
 - Edge jurisdictional buffer zone
 - One Hundred (100) foot
 - Fifty (50) foot
 - No alteration to setback in buffer area.
 - If a bordering vegetated wetland (BVW) or other resource area is present
 - Show field flags at no greater than fifty (50) foot intervals
 - Delineation flags shall be carried a minimum of fifty (50) feet, (two (2) flags), onto adjacent properties
 - The edge of Salt Marsh shall be delineated by vegetation and surveyed elevation of the highest tide
 - Land subject to flooding or coastal storm flowage
 - High hazard velocity zone (V zone)
 - One hundred (100) year (A, AE, AO zone)
 - Still water flood boundary as it extends on the lot

- **Landscape Plans shall include existing and proposed conditions (DO NOT OVERLAY)**
 - Vegetation/landscape features
 - Proper erosion controls
 - Significant trees
 - Buffer zones
 - Topographic information

- **House Design Plans shall include existing and proposed conditions (DO NOT OVERLAY)**
 - Elevations
 - Floor Plans
 - Square footage calculations of existing and proposed coverage /floor area
 - Foundation type proposed
 - Location(s) of oil and/or propane storage tanks, etc.

SUBMITTING UPDATED INFORMATION

Any revised information to be submitted **post** initial submission/continued hearing, to include revised plans, must be delivered/post marked to 16 Jan Sebastian Drive, Sandwich, MA AND emailed to the Administrative Assistant at conservation@sandwichmass.org **no later than 12:00 Noon the Friday prior** to the project's meeting date. Information presented after this deadline **may result in a meeting continuation**, to be scheduled for the next available hearing date to allow adequate time for proper Commission Member/Staff review.

Town of Sandwich
The Oldest Town on Cape Cod



Sandwich Conservation Commission

16 Jan Sebastian Drive
Sandwich, MA 02563
Phone: 508-8833-8054
Fax: 508-833-0018

NOTICE OF INTENT (NOI)	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
Category 1	Decks, Small Alterations, Landscaping (<500 SF)	\$400.00
Category 2	Single Lot, Single Family Home, Garage, Septic, Pool, Landscaping, Freshwater Docks (>500 SF)	\$450.00
Category 3	Commercial, Cottage Colony	\$500.00
Category 4	Coastal - Docks, Revetments, Coir Projects, Dune Nourishment	\$550.00
Category 5	Subdivisions, Roads, Utilities, Drainage	\$650.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE \$50.00
Use the NOI Wetland Fee Transmittal Form to calculate appropriate Town/City share of filing fee <i>portion payable to the Commonwealth of Massachusetts</i>		WETLAND PROTECTION ACT FEE State Mail to Department of Environmental Protection, Box 4062, Boston, MA 02211
Check payable to the Town of Sandwich		\$ Formula
Check payable to Falmouth Publishing		LEGAL AD FEE \$30.00
NOTICE OF INTENT SANDWICH BYLAW CHAPTER 7 (ONLY)	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
Category 1	Decks, Small Alterations, Landscaping (<500 SF)	\$400.00
Category 2	Single Lot, Single Family Home, Garage, Septic, Pool, Landscaping, Freshwater Docks (>500 SF)	\$450.00
Category 3	Commercial, Cottage Colony	\$500.00
Category 4	Coastal - Docks, Revetments, Coir Projects, Dune Nourishment	\$550.00
Category 5	Subdivisions, Roads, Utilities, Drainage	\$650.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE \$50.00
Use the NOI Wetland Fee Transmittal Form to calculate appropriate Town/City share of filing fee <i>portion not required under the NOI Bylaw Only filing</i>		WETLAND PROTECTION ACT FEE State
Check payable to the Town of Sandwich		\$ Formula
Check Payable to Falmouth Publishing		LEGAL AD FEE \$30.00
AMENDMENT TO EXISTING NOI	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
	Active Order of Conditions Required	\$200.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE \$50.00
Check payable to Falmouth Publishing		LEGAL AD FEE \$30.00
REQUEST FOR DETERMINATION OF APPLICABILITY (RDA)	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
	Construction approval to include Wetlands Delineation, Gas Lines, Percolation Tests, Septic	\$200.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE \$35.00
Check payable to Falmouth Publishing		LEGAL AD FEE \$30.00
ADMINISTRATIVE REVIEW (AP)	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	Minor Projects i.e. roof, siding, replacment windows/doors, decks, trenches, etc. (staff approval required for AP use)	\$75.00
REQUEST FOR EXTENSION FOR ORDER OF CONDITIONS	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	Active Order of Conditions required	\$75.00
CERTIFICATE OF COMPLIANCE (COC) FOR ORDER OF CONDITIONS	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	WPA Form 8A required - includes one on-site inspection	\$75.00
	Written request required - Second on-site Inspection, if applicable	\$50.00
	Written request required - Third and Each Subsequent on-site Inspection, if applicable	\$100.00

Town of Sandwich
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**Sandwich Conservation
Commission**

16 Jan Sebastian Drive
Sandwich, MA 02563
Phone: 508-8833-8054
Fax: 508-833-0018

DUPLICATED DOCUMENTS	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	Duplicate Order of Conditions	\$50.00
	Duplicate Certificate of Compliance	\$50.00
	Duplicate Extension to Order of Conditions	\$50.00
REQUEST FOR EMERGENCY CERTIFICATION	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	Declaration of Emergency from different entity (agency/department)	\$235.00
RESTORATION ORDER	DESCRIPTION	APPLICATION FEE (Check payable to the Town of Sandwich)
	For purposes of correcting non-compliant or unpermitted work	\$200.00
AFTER-THE-FACT FILINGS	DESCRIPTION	ENVIRONMENTAL REVIEW & APPLICATION FEE
	Except for approved Emergency Certifications	Doubled
COMPLEX NOI	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
Category 1	Decks, Small Alterations, Landscaping (<500 SF)	\$550.00
Category 2	Single Lot, Single Family Home, Garage, Septic, Pool, Landscaping, Freshwater Docks (>500 SF)	\$600.00
Category 3	Commercial, Cottage Colony	\$650.00
Category 4	Coastal - Docks, Revetments, Coir Projects, Dune Nourishment	\$700.00
Category 5	Subdivisions, Roads, Utilities, Drainage	\$800.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE
		\$50.00
Use the NOI Wetland Fee Transmittal Form to calculate appropriate Town/City share of filing fee portion payable to the Commonwealth of Massachusetts		WETLAND PROTECTION ACT FEE
State Mail to Department of Environmental Protection, Box 4062, Boston, MA 02211		
Check payable to the Town of Sandwich		\$ Formula
		LEGAL AD FEE
Check payable to Falmouth Publishing		\$30.00
ABBREVIATED NOI	DESCRIPTION	ENVIRONMENTAL REVIEW FEE
Category 1	Decks, Small Alterations, Landscaping (<500 SF)	\$325.00
Category 2	Single Lot, Single Family Home, Garage, Septic, Pool, Landscaping, Freshwater Docks (>500 SF)	\$375.00
Category 3	Commercial, Cottage Colony	\$425.00
Category 4	Coastal - Docks, Revetments, Coir Projects, Dune Nourishment	\$475.00
Category 5	Subdivisions, Roads, Utilities, Drainage	\$575.00
Environmental Review & Application Fees (one check) payable to the Town of Sandwich		APPLICATION FEE
		\$50.00
Use the NOI Wetland Fee Transmittal Form to calculate appropriate Town/City share of filing fee portion payable to the Commonwealth of Massachusetts		WETLAND PROTECTION ACT FEE
State Mail to Department of Environmental Protection, Box 4062, Boston, MA 02211		
Check payable to the Town of Sandwich		\$ Formula
		LEGAL AD FEE
Check payable to Falmouth Publishing		\$30.00



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Town of Sandwich Wetlands Bylaw, Ch. 7

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

_____	_____	_____
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
_____	_____	_____
d. Latitude	e. Longitude	
_____	_____	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

_____	_____	
a. First Name	b. Last Name	

c. Company		

d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

_____	_____	_____
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Designated Port Areas, Land Under the Ocean, Barrier Beach, Coastal Beaches, Coastal Dunes, Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, and Land Subject to Coastal Storm Flowage.

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- 1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review*

- 1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage

- 2. Assessor's Map or right-of-way plan of site

- 2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm). Make check payable to “Commonwealth of Massachusetts - NHESP” and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site
- (e) Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
 2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
 3. Separate MESA review completed.
Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP’s Boston Office. For coastal towns in the Southeast Region, please contact MassDEP’s Southeast Regional Office.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Town of Sandwich Wetlands Bylaw, Ch. 7

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC

- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. Yes No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. Yes No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - 2. A portion of the site constitutes redevelopment
 - 3. Proprietary BMPs are included in the Stormwater Management System.
 - b. No. Check why the project is exempt:
 - 1. Single-family house
 - 2. Emergency road repair
 - 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

_____ a. Plan Title

_____ b. Prepared By _____ c. Signed and Stamped by

_____ d. Final Revision Date _____ e. Scale

_____ f. Additional Plan or Document Title _____ g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

_____ 2. Municipal Check Number _____ 3. Check date

_____ 4. State Check Number _____ 5. Check date

_____ 6. Payor name on check: First Name _____ 7. Payor name on check: Last Name



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Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

_____ 1. Signature of Applicant	_____ 2. Date
_____ 3. Signature of Property Owner (if different)	_____ 4. Date
_____ 5. Signature of Representative (if any)	_____ 6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

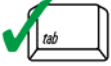
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address	b. City/Town
c. Check number	d. Fee amount

2. Applicant Mailing Address:

a. First Name	b. Last Name	
c. Organization		
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

a. First Name	b. Last Name	
c. Organization		
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



BRP WPA Form 3 - Notice of Intent Instructions and Supporting Materials

Instructions for Completing Application WPA Form 3 – Notice of Intent

Please read these instructions for assistance in completing the Notice of Intent application form (WPA Form 3). These instructions cover certain items on the Notice of Intent form that are not self-explanatory.

Purpose of the Notice of Intent (NOI)

To protect the Commonwealth's wetland resources, the Massachusetts Wetlands Protection Act (General Law Chapter 131, Section 40) prohibits the removal, dredging, filling, or altering of wetlands without a permit. To obtain a permit (called an Order of Conditions), a project proponent must submit an application to the Conservation Commission and the Department of Environmental Protection (the Department). The Notice of Intent application provides the Conservation Commission and the Department with a complete and accurate description of the:

- **Site:** including the type and boundaries of resource areas under the Wetlands Protection Act, and
- **Proposed work:** including all measures and designs proposed to meet the performance standards described in the Wetlands Protection Act Regulations, 310 Code of Massachusetts Regulations (CMR) 10.00, for each applicable resource area.

The applicant is responsible for providing the information required for the review of this application to the permit issuing authority (Conservation Commission or the Department). The submittal of a complete and accurate description of the site and project will minimize requests for additional information by the issuing authority that may result in an unnecessary delay in the issuance of an Order of Conditions.

To complete this form, the applicant should refer to the wetlands regulations (310 CMR 10.00), which can be obtained from the Department's web site: <https://www.mass.gov/regulations/310-CMR-1000-wetlands-protection-act-regulations>. Regulations are available for viewing at public libraries and county law libraries across the state, as well as at the Department's Regional Service Centers (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community> for locations of regional offices and the communities they serve). Regulations also are available for sale from the State House Bookstore in Boston (617-727-2834) and State House Bookstore West in Springfield (413-784-1378).

Requirements for Professional Services

The issuing authority may require that supporting plans and calculations be prepared and stamped by a registered professional engineer (PE) when, in its judgment, the complexity of the proposed work warrants this certification. Examples of information likely to require certification by a PE include: hydraulic and hydrologic calculations; critical elevations and inverts; and drawings for water control structures such as head walls, dams, and retention areas.

The issuing authority also may require that supporting materials be prepared by other professionals including, but not limited to, a registered architect, registered landscape architect, registered land surveyor, registered sanitarian, biologist, environmental scientist, geologist, or hydrologist when the complexity of the proposed work warrants specialized expertise.



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Completing WPA Form 3

Leave the shaded box located at the upper right hand corner of page 1 of NOI blank. This box contains the words: “MassDEP File Number” and “Document Transaction Number”. The MassDEP File Number for this project will be issued to the Conservation Commission by the Department’s regional office. Once issued, all subsequent correspondence on the project should reference the MassDEP file number.

Instructions to Section A: General Information

Item 1. Project Location. The map or plat, parcel, and lot numbers must be included if the lot subject to the NOI does not contain a residence, school, or commercial or industrial establishment, or if the lot is being subdivided.

Electronic filers must click on the button next to Item 1 and use to the GIS locator to identify the project site.

Item 3. Property Owner. If there is more than one property owner, a list of additional property owners should be attached to the Notice of Intent.

Item 5. Total Wetlands Protection Act Fee Paid. Instructions regarding calculations of fees are explained in Section E, below.

Item 6. General Project Description. The applicant should provide a brief description of the project. Describe, and show on accompanying maps and plans, both existing and proposed site conditions, including temporary construction impacts, replication areas, and/or other mitigation measures. Attach maps, plans, and other documents identifying proposed activities and their location relative to the boundaries of each wetland resource area and Buffer Zone (if applicable).

Item 8. Property Recorded at the Registry of Deeds. For Multiple Parcels, additional book and page numbers should be attached to the Notice of Intent.

Instructions to Section B: Buffer Zone and Resource Area Impacts

To determine the size and location of any impacts that a proposed project may have on each wetland resource area, first determine the resource area boundaries.

Item 1. Buffer Zone Only. The **boundary of the buffer zone** is determined by measuring 100 feet horizontally from the outer (landward) boundaries of bordering vegetated wetland, inland or coastal bank, coastal or barrier beach, rocky intertidal shore, salt marsh, and/or coastal dune. See Instructions in Section B, below, to determine the outer boundaries of these resource areas. If you check the Buffer Zone Only box in this section (indicating that the project is entirely in the Buffer Zone), skip the remainder of Section B of the Notice of Intent (Buffer Zone and Resource Area Impacts), and go directly to Section C of the Notice of Intent.

Item 2. The **boundaries of inland resource areas** in Items 2a through f can be determined by reference to the wetlands regulations, subsection (2), “Definitions, Critical Characteristics, and Boundaries,” for each resource area covered under 310 CMR 10.54 - 10.58. The Riverfront Area, listed in Item 1f, also can be a coastal resource area. The width of the Riverfront Area is described in 310 CMR 10.58(2)(a)3, and the methods for determining the Mean Annual High-Water Line (which is the inner boundary) are found in 310 CMR 10.58(2)(a)2 and 10.58(2)(c).

Item 3. The **boundaries of coastal resource areas** (in Items 3a-k can be determined by reference to 310 CMR 10.25 – 10.35, and to the definitions found in 310 CMR 10.04 and 10.23, and M.G.L. c. 131, § 40. Land Subject to Coastal Storm Flowage is defined in the Wetlands Protection Act (M.G.L. c. 131, § 40); there are no performance standards pertaining to this resource area.



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Once you have identified the resource areas and located the components of the proposed project in each such area, you must indicate on the Notice of Intent the size of the proposed alterations (and proposed replacement areas) in each resource area. **Replacement area standards**, if any, are included in the performance standards for each resource area, discussed in the paragraph below. See also the Department's "Massachusetts Inland Wetland Replication Guidelines", March 2002 (available on MassDEP website at: <https://www.mass.gov/files/documents/2016/08/xf/replicat.pdf>).

You must also attach to the Notice of Intent a narrative and any supporting documentation describing how the project will meet all **performance standards** for each of the resource areas altered, including standards requiring consideration of alternative project design or location. The wetland regulations describe the type and extent of work that may be permitted in resource areas, called performance standards. Proposed work must meet these standards.

- **Performance standards for inland resource areas**, including the Riverfront Area (which can be either inland or coastal) are described in the Wetland regulations, subsection 3: "General Performance Standards" for each resource area covered under 310 CMR 10.54 - 58. Among other performance standards, an **alternatives analysis** is required for all projects involving bordering vegetated wetlands as well as those in the Riverfront Areas. Detailed requirements for the evaluation of alternatives to proposed work in Riverfront Areas and bordering vegetated wetlands are described at 310 CMR 10.58(4) and 310 CMR 10.55(4), respectively.
- **Performance standards for coastal resource areas** (excluding Riverfront Area) are described in various subsections within 310 CMR 10.25 – 10.35.
- **Limited Projects** are categories of activities specified in the regulations at 310 CMR 10.24(7) and 10.53(3) – (6), which can proceed at the discretion of the issuing authority without fully meeting the resource area performance standards. **Performance standards for limited projects** are described in the regulations at 310 CMR 10.24(7) and 10.53(3)-(6). An **alternatives analysis** performance standard is required for most limited projects.

Instructions to Section C. Other Applicable Standards and Requirements

Item 1. Rare Wetland Wildlife Habitat. Except for Designated Port Areas, no work (including work in the Buffer Zone) may be permitted in any resource area subject to the Act that would have adverse effects on the habitat of rare, "state-listed" vertebrate or invertebrate animal species.

The most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife is published by the Natural Heritage and Endangered Species Program (NHESP). See: http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm or the *Massachusetts Natural Heritage Atlas*.

If any portion of the proposed project is located in Estimated Habitat of Rare Wildlife as indicated on NHESP maps, the project is subject to the endangered species protection provisions of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.37, 10.58(4)(b), & 10.59). Projects located within Estimated Habitat are also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18; for exemptions see 321 CMR 10.14). If any portion of the proposed project is located within Estimated Habitat, the applicant must send the Natural Heritage Program, at the following address, a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days), no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department.

Evidence of mailing to the Natural Heritage Program (such as Certified Mail Receipt or Certificate of Mailing for Priority Mail) must be submitted to the Conservation Commission and the Department's Regional Office along with the Notice of Intent.



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Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336
508.792.7270

To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete the portion of Section D in the NOI entitled: Streamlined Massachusetts Endangered Species Act/Wetlands protection Act Review. **If MESA supplemental information is not included with the NOI, the NHESP will require a separate MESA filing which may take up to 90 days to review.**

Item 2. Coastal Projects. The **mean high water line** in coastal areas is described in the regulatory definitions at 310 CMR 10.23. The definition of **anadromous/catadromous “fish runs”** is found at 310 CMR 10.35(2). If the proposed work is located in either such area, the applicant must send the Massachusetts Division of Marine Fisheries (South Shore (Cohasset to Rhode Island, and the Cape & Islands): Division of Marine Fisheries - Southeast Marine Fisheries Station, Attn: Environmental Reviewer, 836 South Rodney French Blvd., New Bedford, MA 02744 or North Shore (Hull to New Hampshire): Division of Marine Fisheries - North Shore Office, Attn: Environmental Reviewer, 30 Emerson Avenue, Gloucester, MA 01930) a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days) no later than the date of the filing of the Notice of Intent with the Conservation Commission and the Department. Evidence of mailing to the Division of Marine Fisheries (such as certified mail receipt or certificate of mailing for priority mail) must be submitted to the Conservation Commission and the Department’s Regional Office along with the Notice of Intent.

Item 3. Areas of Critical Environmental Concern. If the project is proposed in one of the communities listed in the last page of these Instructions (also listed at the Department’s web site: <https://www.mass.gov/files/documents/2016/08/xo/aceclist.pdf>) the project may be located in an Area of Critical Environmental Concern (ACEC). To confirm whether the project location is in an ACEC, contact the Conservation Commission or the MA Department of Conservation & Recreation (formerly the Department of Environmental Management) ACEC Program at:

251 Causeway St., Suite 600
Boston, MA 02114
617.626.1394

The ACEC Program also may be contacted for additional information or to verify new ACEC designations.

Item 5. Restriction Orders. If any portion of the proposed project is located on a site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131 § 40A) or Coastal Wetlands Restriction Act (M.G.L. c. 130 § 105), attach a copy of the order to the Notice of Intent. To determine if a Wetlands Restriction Order exists for the site, contact the Conservation Commission or the Department’s Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

Item 6. Stormwater Management. According to MassDEP’s Stormwater Regulations (January 2008), certain projects require stormwater management measures. To determine if a project requires stormwater management, consult the Wetland Regulations at 310 CMR 10.05(6) and the Department publications: *Massachusetts Stormwater Management Handbook: Volumes 1, 2, 3*. These documents are available for purchase from the State House Bookstore (617/727-2834) and State House Bookstore West (413/784-1378) and also may be obtained from MassDEP’s web site: <https://www.mass.gov/guides/massachusetts-stormwater-handbook-and-stormwater-standards>.



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If stormwater management is required, applicants are required to submit a Stormwater Report with the Notice of Intent to provide stormwater management information for Conservation Commission review consistent with the wetland regulations, 310 CMR 10.05(6)(k)-(q). The Department requires engineers to also complete the Stormwater Report Checklist and Certification to certify that the project conforms to the Stormwater Regulations and meets acceptable engineering standards. For recharge wells, check the Underground Injection Control (UIC) requirements to see if UIC regulation is required at <https://www.mass.gov/service-details/underground-injection-control-uic-application-forms>.

Instructions to Section D: Additional Information

All information listed in Section D of the Notice of Intent must be provided along with the Notice of Intent when it is filed with the conservation commission and the Department.

Item 2. Plans should be of adequate size, scale, and detail to completely and accurately describe the site, resource area boundaries, and proposed work. The following guidelines are provided to encourage uniformity:

Sheet Size

- Maximum 24" x 36"
- If more than one sheet is required to describe the proposed work, provide an additional sheet indexing all other sheets and showing a general composite of all work proposed within the Buffer Zone and areas subject to protection under the Act.

Scale

- Not more than 1" = 50'
- If plans are reduced, display graphical scales.

Title Block

- Included on all plans
- Located at the lower right hand corner, oriented to be read from the bottom when bound at the left margin
- Include original date plus additional space to reference the title and dates of revised plans.

Item 3. Resource Area Delineation Methodology: Attach documentation of the methodology used to delineate the Bordering Vegetated Wetlands (BVW) boundary (e.g. BVW Field Data Form, Final Order of Resource Area Delineation or other delineation method) as well as methods used to delineate any other resource areas proposed for alteration.

Instructions to Section E: Fees

A wetland application filing fee must accompany the Notice of Intent. The fee is based on the category of the proposed activity (described in 310 CMR 10.03(7)) and the resource area to be impacted by the activity. To calculate the filing fee of the NOI Wetland Fee Transmittal Form from the instructions below.

In summary, the total filing fee for a Notice of Intent that involves more than one activity is determined by adding the fees for each proposed activity. When work is proposed in the Riverfront Area, as well as another resource area or their Buffer Zones, add 50% to the fee for each activity in the Riverfront Area. For activities exclusively within the Riverfront Area, and not within other resource areas or their Buffer Zones, the fee is determined by



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adding the amounts for each proposed activity. The city/town share of the fee is the first \$25, plus half of the remaining total fee. The state share is half the total fee in excess of \$25.

Complete pages 1 and 2 of the NOI Wetland Fee Transmittal Form (attached to the NOI) and send them, along with a check for the state share of the filing fee, payable to *the Commonwealth of Massachusetts*, to MassDEP, Box 4062, Boston, MA 02211. Review of the Notice of Intent cannot begin until the fee is received.

Include check number and payor name information on the Notice of Intent to expedite fee payment confirmation.

No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

In addition, a notice of the application must be placed in a local newspaper, and published at least five days prior to the hearing, at the applicant's expense. Contact the Conservation Commission for the municipality where the project is located regarding the procedure for public newspaper notice.

Instructions for Completing the NOI Wetland Fee Transmittal Form

The wetland filing fee should be calculated using the following steps based on a hypothetical project involving two driveway crossings through a Riverfront Area and Bordering Vegetated Wetland and six single family houses in Riverfront Area only.

Step 1/Type of Activity: Review plans and narrative to identify each activity in wetland resource areas and their applicable Buffer Zones. Example: driveway crossing and construction of a single family house.

Step 2/Number of Activities: Determine the number of each activity associated with the project. Example: driveway crossings and 6 single family homes.

Step 3/Individual Activity Fee: List the fee amount for each category of activity (see Category Activities and Fee, below) Example: Driveway crossing is a Category 2(f.) activity and is \$500 each. Construction of a single family house is a Category 2(a.) activity and is \$500 each.

Step 4/Subtotal Activity Fee: Determine the subtotal fee for each type of activity by multiplying the fee for the activity (Step 3) by the number of activities (Step 2). If the activity is within the Riverfront Area as well as another resource area or its Buffer Zone, add 50% to total fee (e.g., multiply the fee by 1.5). If the activity is located in a Riverfront Area only, apply the fee amount for the category without the additional 50%. Example: 2 (driveway crossings in BVW) x \$500 x 1.5 (for riverfront area) = \$1,500; 6 (single family homes) x \$500 = \$3,000.

Step 5/Total Project Fee: Add all the subtotals identified in Step 4 to determine the total fee. Example: \$1,500 + \$3,000 = \$4,500.

Step 6/Fee Payments: The state share of the fee is 50% of any filing fee in excess of \$25 (i.e., the state share can be determined by dividing the total fee in half and subtracting \$12.50); the remaining portion of the fee shall be made to the city or town (i.e., the City/Town share can be determined by dividing the total fee in half and adding \$12.50). Example: City/Town share: \$2,262.50; state share: \$2,237.50.



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Category Activities and Fees

Category 1 (Fee for each activity is **\$110**):

- a.) work on single family lot; addition, pool, etc.;
- b.) site work without a house;
- c.) control vegetation;
- d.) resource improvement;
- e.) work on septic system separate from house;
- f.) monitoring well activities minus roadway;
- g.) new agricultural or aquaculture projects.

Category 2 (Fee for each activity is **\$500**)

- a.) construction of single family house;
- b.) parking lot;
- c.) beach nourishment;
- d.) coastal limited projects;
- e.) inland limited projects minus road crossings and agriculture;
- f.) each crossing for driveway to single family house;
- g.) each project source (storm drain) discharge;
- h.) control vegetation in development;
- i.) water level variations;
- j.) any other activity not in Category 1, 3, 4, 5 or 6;
- k.) water supply exploration.

Category 3 (Fee for each activity is **\$1,050**)

- a.) site preparation (for development) beyond Notice of Intent scope;
- b.) each building (for development) including site;
- c.) road construction not crossing or driveway;
- d.) hazardous cleanup;
- e.) water supply development.

Category 4 (Fee for each activity is **\$1,450**):

- a.) each crossing for development or commercial road;
- b.) dam, sluiceway, tidegate (safety) work;
- c.) landfills operation/closures;
- d.) sand and gravel operations;
- e.) railroad line construction;
- f.) bridge;
- g.) hazardous waste alterations to resource areas;
- h.) dredging;
- i.) package treatment plant and discharge;
- j.) airport tree clearing;
- k.) oil and/or hazardous material release response actions.

Category 5 (Fee is **\$4 per linear foot**; total fee not less than \$100 or more than \$2,000):

- a.) work on docks, piers, revetments, dikes, etc. (coastal or inland).

Category 6 (Fee is **\$2 per linear foot for each resource area**): **For each resource area delineation, the fee shall not exceed \$200 for activities associated with a single family house or \$2,000 for all other activities).**



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & Waterways

BRP WPA Form 3 - Notice of Intent Instructions and Supporting Materials

Instructions to Section F: Signatures and Submittal Requirements

Signatures and Submittal Requirements. Follow the filing instructions in Section F of the Notice of Intent. For additional filing requirements, see Section D of these instructions, above. The original Notice of Intent and a copy must be sent, by certified mail or hand delivery, to the Conservation Commission. At the same time the original Notice of Intent is submitted to the commission, one copy of the Notice of Intent must be sent to the appropriate MassDEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>) by certified mail or hand delivery. Failure by the applicant to send the copies in a timely manner may result in dismissal of the Notice of Intent application.

Mail transmittal forms and MassDEP payments, payable to:

Commonwealth of Massachusetts
Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection – Wetlands & Waterways

BRP WPA Form 3 - Notice of Intent
Instructions and Supporting Materials

TOWNS WITH ACECs WITHIN THEIR BOUNDARIES

Town	ACEC NAME	Town	ACEC NAME
Ashby	Squannassit	Lunenburg	Squannassit
Ayer	Petapawag and Squannassit	Lynn	Rumney Marshes
Barnstable	Sandy Neck/Barnstable Harbor	Mansfield	Canoe River Aquifer
Bolton	Central Nashua River Valley	Mashpee	Waquoit Bay
Boston	Rumney Marshes	Melrose	Golden Hills
	Fowl Meadow and Ponkapoag Bog	Milton	Fowl Meadow and Ponkapoag Bog
	Neponset River Estuary		Neponset River Estuary
Bourne	Pocasset River	Mt Washington	Karner Brook Watershed, Schenob Brook
	Herring River Watershed		Parker River/Essex Bay
	Bourne Back River	Newbury	Hockomock Swamp
Braintree	Cranberry Brook Watershed	Norton	Canoe River Aquifer
Brewster	Pleasant Bay, Inner Cape Cod Bay		Three Mile River
Bridgewater	Hockomock Swamp		Fowl Meadow and Ponkapoag Bog
Canton	Fowl Meadow and Ponkapoag Bog	Norwood	Inner Cape Cod Bay, Pleasant Bay
Chatham	Pleasant Bay	Orleans	Petapawag and Squannassit
Cohasset	Weir River	Pepperell	Hinsdale Flats Watershed
Dalton	Hinsdale Flats Watershed	Peru	Herring River Watershed, Ellisville Harbor
Dedham	Fowl Meadow and Ponkapoag Bog	Plymouth	Neponset River Estuary
Dighton	Three Mile River		Fowl Meadow and Ponkapoag Bog
Dunstable	Petapawag	Quincy	Hockomock Swamp
Eastham	Inner Cape Cod Bay	Randolph	Rumney Marshes
	Wellfleet Harbor	Raynham	Parker River/Essex Bay
Easton	Canoe River Aquifer	Revere	Sandy Neck/Barnstable Harbor
	Hockomock Swamp	Rowley	Rumney Marshes, Golden Hills
Egremont	Karner Brook Watershed	Sandwich	Canoe River Aquifer
Essex	Parker River/Essex Bay	Saugus	Fowl Meadow and Ponkapoag Bog
Falmouth	Waquoit Bay	Sharon	Schenob Brook
Foxborough	Canoe River Aquifer		Squannassit
Gloucester	Parker River/Essex Bay	Sheffield	Kampoosa Bog Drainage Basin
Groton	Petapawag and Squannassit	Shirley	Hockomock Swamp, Canoe River Aquifer, Three Mile River
Grafton	Miscoe-Warren-Whitehall Watersheds	Stockbridge	Squannassit
Harvard	Central Nashua River Valley	Taunton	Wellfleet Harbor
	Squannassit		Petapawag
Harwich	Pleasant Bay	Townsend	Miscoe-Warren-Whitehall Watersheds
Hingham	Weir River, Weymouth Back River	Truro	Golden Hills
Hinsdale	Hinsdale Flats Watershed	Tyngsborough	Hinsdale Flats Watershed
Holbrook	Cranberry Brook Watershed	Upton	Wellfleet Harbor
Hopkinton	Westborough Cedar Swamp	Wakefield	Hockomock Swamp
	Miscoe-Warren-Whitehall Watersheds	Washington	Westborough Cedar Swamp
Hull	Weir River	Wellfleet	Fowl Meadow and Ponkapoag Bog
Ipswich	Parker River/Essex Bay	W Bridgewater	Weymouth Back River
Lancaster	Central Nashua River Valley	Westborough	Rumney Marshes
	Squannassit	Westwood	
Lee	Kampoosa Bog Drainage Basin	Weymouth	
Leominster	Central Nashua River Valley	Winthrop	



REPRESENTATIVE DESIGNATION

Date: _____

I _____, hereby designate _____
(Applicant) (Representative)

as my/our representative for all information, on-site reviews, public hearings, and
correspondence with the Commission relative to the (Notice of Intent/Amendment)
application for work proposed at _____,
(Project Address)

submitted _____. Please keep the representative informed
(Submission Date)
of the status of any changes in procedures specifically affecting my/our application(s). I
will raise any questions regarding this project through my/our representative.

Please complete the information below as to who is to be contacted to pick up the
processed Order of Conditions (permit):

Name: _____

Address: _____

Telephone Number: _____

Signature of Applicant: _____

Signature of Property Owner: _____

PLEASE PRINT OR TYPE



LIST OF ABUTTERS
 REQUEST FOR CERTIFICATION

NOTE: PLEASE ALLOW **TEN BUSINESS DAYS** FOR A LIST TO BE CERTIFIED BY ASSESSORS, PER MGL 66, S.10. LISTS ARE CERTIFIED ON A 'FIRST COME, FIRST SERVE' BASIS, PLEASE PLAN YOUR TIME FRAME ACCORDINGLY.

DATE OF REQUEST _____ PERSON REQUESTING CERTIFICATION _____

CONTACT PHONE NUMBER AND/OR EMAIL: _____

SIGNATURE: _____

NAME OF PROPERTY OWNER/APPLICANT: _____

STREET LOCATION OF PROPERTY: _____

MAP NUMBER: _____ PARCEL NUMBER: _____

NUMBER OF ABUTTERS ON LIST _____ (INCLUDES OWNER)

THE APPLICATION IS FOR:

_____ Board of Appeals (Variance, Special Permit, Comprehensive Permit)

_____ Planning Board (Special Permit)

_____ Planning Board (Definitive Plan)

_____ Selectmen (Road Taking)

_____ Selectmen (Utility/Pole Location)

_____ Selectmen (Gasoline/Oil Storage Tank)

_____ Selectmen (Liquor License)

Conservation Commission (Notice of Intent/Request for Determination of Applicability)

_____ Historic District (Certificate of Appropriateness/Demolition or Removal)

_____ Board of Health (Site Assignment)

_____ Other (specify) _____

**CERTIFIED
 ABUTTERS' LIST
 MUST BE PAID IN
 ADVANCE.
 THANK YOU.**

For Assessors Use

_____ The attached list has more than three errors. Please submit a corrected list.

_____ The attached list is certified to be a correct listing of abutters for the described application based on the most recent tax list.

Fee: _____ Date Paid: _____ Method of Payment: _____

Employees Initials: _____ Certified By: _____

NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

- A. The name(s) of the applicant is _____.
- B. The applicant has filed either a Notice of Intent, a Request for Determination of Applicability or an Amendment to an existing Order of Conditions with the Sandwich Conservation Commission, seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed is _____

- D. Project Description [to be taken from Section A6 on DEP Form 3 Notice of Intent

- E. Copies of the Notice of Intent may be examined at the Department of Natural Resources at 16 Jan Sebastian Drive, Sandwich, MA 02563. Between the hours of 8:30 AM and 4:00 PM, Monday – Friday. For more information, call: (508) 833-8054.
- F. Copies of the Notice of Intent may be obtained from the Department of Natural Resources, please email conservation@sandwichmass.org.
- G. Information regarding the date, time, and place of the public hearing may be obtained from the Department of Natural Resources at 508-833-8054.

Note: Notice of the public hearing, including its date, time and place, will be published at least five (5) days Prior to meeting in the Sandwich Enterprise Newspaper.

Note: Notice of the public hearing including its date, time and place will be posted on the Town's website at <https://www.sandwichmass.org/agendacenter> at least (48) forty eight hours prior to meeting.

Note: You may also contact your local Conservation Commission office at 508-833-8054 or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act: Southeast Region: 508-946-2800